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THE ESTABLISHMENT AND GOVERNMENT

OF THE

DISTRICT OF COLUMBIA,

BY

WILLIAM TINDALL

SECRETARY TO THE BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA



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## P R E F A C E.

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This pamphlet is designed as a chronological outline of the principal steps in the establishment of the seat of government of the United States, and of the several forms of government which have been provided for the management of the local affairs therein, with a brief account of the leading features of the present local government and courts. It has been compiled as a convenient means of answering frequent inquiries for such information.

1901.

WILLIAM TINDALL.





## ESTABLISHMENT AND GOVERNMENT OF THE DISTRICT OF COLUMBIA.

The District of Columbia is the seat of government of the United States of America.

### LOCATION AND TOPOGRAPHY.

It is situated on the left or eastern bank of the Potomac River, 108 miles from its entrance into Chesapeake Bay and about 185 miles, via said river and bay, from the Atlantic Ocean. The center of the District, as originally established, was in longitude  $77^{\circ} 02' 27.745''$  west of Greenwich, and in north latitude  $38^{\circ} 53' 34.915''$ , and in the vicinity of Seventeenth and C streets northwest, in the city of Washington. That locality is now nearly on the southwestern border of the District, in consequence of the retrocession to Virginia of the portion of the District derived from that State, but it is still approximately midway between the eastern and western extremes.

The District consists topographically of an urban section named "the city of Washington" and of a suburban and agricultural section which contains a number of unincorporated villages. It embraces an area of 69,245 square miles, 60,01 square miles of which are land. Its surface is generally irregular and undulating, rising from the level of mean low tide in the contiguous Potomac River to an elevation of 420 feet at the highest point, which is about a half mile southeastwardly from its northwestern boundary.

The main branch of the Potomac River borders the District on the west, beginning at its northwestern boundary, and, after a course approximately southeast and south, leaves it at its southern extremity. It is joined from the east about 3 miles north of the latter point by the Anacostia River, or Eastern Branch, which flows through the District in a southwesterly course to that point. The District is also drained by a number of smaller streams which flow into the Potomac and Anacostia.

The navigation of the Potomac for large vessels practically terminates at the Aqueduct Bridge, about 3 miles from its junction with the Anacostia, and the navigation of the Anacostia, at the Navy-yard bridge, about 2 miles above its junction with the Potomac.

### ESTABLISHMENT.

The District of Columbia was established as the seat of government of the United States by proceedings taken under authority and direction of acts of Congress approved July 16, 1790, entitled "An act for establishing the temporary and permanent seat of the Government of

the United States" (1 Stats., 130), and the act of March 3, 1791, entitled "An act to amend 'An act for establishing the temporary and permanent seat of the Government of the United States'" (1 Stats., 214), pursuant to the following provision contained in the eighth section of the first article of the Constitution of the United States, enumerating the powers of Congress, viz:

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.

The right to exercise exclusive authority at the seat of government was conferred upon Congress in order that the legislative and executive functions of the Government might be exercised without risk of interference, and in consideration of the fact that in June, 1783, the Continental Congress transferred its sessions from Philadelphia to evade a hostile demonstration which was made toward it by a body of soldiers of the Revolutionary army in order to hasten payment for their services as such, and that the authorities of that city and the State of Pennsylvania acknowledged their inability to protect that Congress from the threatened intimidation.

#### SELECTION OF SITE.

The requisite area for the District was offered to Congress by the States of Maryland and Virginia; the former by an act of the general assembly of that State, passed December 23, 1788, which directed the Representatives of that State in the House of Representatives of the Congress of the United States to cede to the Congress of the United States any district in said State not exceeding ten miles square which the Congress might fix upon and accept for the seat of government; the latter State by an act of its general assembly, passed December 3, 1789, ceding a like tract or any lesser quantity of Virginia territory for the same purpose.

The general assembly of Maryland, by an act passed December 19, 1791, formally ratified the cession provided for in its act of December 23, 1788.

Maryland also gave \$72,000, and in 1796, 1797, and 1799 loaned \$250,000 more for the erection of public buildings in the District for the use of the General Government. Virginia made a grant of \$120,000 for the same purpose in case of the acceptance by Congress of the cession of the site offered by her for the seat of government.

The southern limit of the area of selection for the site of the District was, by the act of March 3, 1791, placed at Hunting Creek, an estuary of the Potomac River which enters that river from the west immediately below Alexandria, Va. The northern limit was, by the act of July 16, 1790, fixed at a small stream named "Connogochegue Creek," which enters the Potomac River at Williamsport, Md., about 100 miles above the southern limit.

In anticipation of the enactment of the statute of March 3, 1791, and to advance the work of locating the boundary lines of the District as far as possible pending its consideration, a tentative boundary of the District was laid out by Commissioners Thomas Johnson, David Stuart, and Daniel Carroll, who were appointed by President Washing-

ton on January 22, 1791, pursuant to the act of July 16, 1790, and directed by a Presidential proclamation dated January 24, 1791, to proceed forthwith to make a preliminary survey, or, in the President's words, to run "lines of experiment" which were substantially in accord with those finally adopted as mentioned in the following paragraph.

The site of the District was finally located, partly in the then and present Prince George and Montgomery counties, in the State of Maryland, and partly in Fairfax County, in the State of Virginia, by proclamation of President George Washington, March 30, 1791, as follows:

Beginning at Jones Point, being the upper cape of Hunting Creek in Virginia, and at an angle in the outset of 45 degrees west of the north, and running in a direct line ten miles for the first line; then beginning again at the same Jones Point, and running another direct line at a right angle with the first across the Potomac, ten miles, for the second line; then, from the terminations of the said first and second lines, running two other direct lines of ten miles each, the one crossing the Eastern Branch aforesaid, and the other the Potomac, and meeting each other in a point.

The corner stone was laid at Jones Point, on the Virginia shore, with Masonic ceremonies, April 15, 1791, and now forms part of the foundation of the Jones Point light-house, which was built over it.

A survey of the District, which was commenced in 1881 under the direction of the United States Coast and Geodetic Survey, at the expense of the District, demonstrated that the boundary lines of the District as laid down by the Commissioners in 1790 are incorrect. The northern point is 116 feet west of the meridian running through the southern corner, and each of the sides exceeds 10 miles in length, as follows:

Southeastern side, 10 miles 230.6 feet.  
 Northeastern side, 10 miles 263.1 feet.  
 Southwestern side, 10 miles 70.5 feet.  
 Northwestern side, 10 miles 63.0 feet.

An account of this and other surveys and maps of the District is contained in a paper presented before the National Geographic Society by Marcus Baker, March 23, 1894, and published in Volume VI of the National Geographic Magazine.

#### ACCEPTANCE OF THE SITE.

Section 3 of the aforesaid act of July 16, 1790, prescribes, among other things, that "the District so defined, limited, and located *shall be deemed the District accepted* by this act for the permanent seat of the Government of the United States."

#### NAMING THE DISTRICT.

The first official mention of the District by name is in a letter of the original Commissioners dated September 9, 1791, in which they state: "We have agreed that the Federal district shall be called the Territory of Columbia," etc. They had no authority of law to name it.

The first statutory mention of the name "District of Columbia" is in the *title*, but not in the body, of "An act authorizing a loan for the use of the city of Washington, in the District of Columbia, and for other purposes therein mentioned," approved May 6, 1796. The District is also referred to in at least one of the subsequent statutes as the Territory of Columbia.

Although it is frequently called the District of Columbia in various

statutes, it was first so definitely designated by law in the first paragraph of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878, as follows:

That all the territory which was ceded by the State of Maryland to the Congress of the United States for the permanent seat of the Government of the United States shall *continue* to be designated as the *District of Columbia* (20 Stats., 102).

#### ASSUMPTION OF LEGAL JURISDICTION BY THE UNITED STATES.

The acts of cession of both States provided that the jurisdiction of the laws of those States, respectively, over the persons and property of individuals residing within the limits of the sections aforesaid should not cease or determine until Congress, having accepted such cession, should by law provide for the government thereof under its jurisdiction, in the manner provided in the eighth section of the first article of the Constitution of the United States.

The United States assumed legal jurisdiction in the District by "An act concerning the District of Columbia," approved February 27, 1801 (2 Stats., 103).

#### TRANSFER OF THE SEAT OF GOVERNMENT TO THE DISTRICT OF COLUMBIA.

The date of the transfer of the seat of Government to the District of Columbia was fixed by the first paragraph of section 6 of the act of July 16, 1790, as follows:

"*And be it enacted*, That on the said first Monday in December, in the year one thousand eight hundred, the seat of the Government of the United States shall, by virtue of this act, be transferred to the District and place aforesaid;" the place referred to being the portion of the District selected for the Federal city.

The date of the first meeting of Congress in the District was, by an act passed May 13, 1800, fixed for the 17th day, or the third Monday, in November, 1800; but it actually met for the first time in the District on November 21, which was the first day of the session when a quorum of both Houses was present. The meeting was in the north wing of the Capitol, then the only completed part of the building. A quorum of the House of Representatives was present on the 18th of November.

The President arrived in Georgetown on June 3, 1800, and in Washington the next day. The personnel and records of the several Departments were transferred from Philadelphia to Washington about the same time. The Supreme Court held its first session in Washington on the 4th of the ensuing February.

The Congress provided for by the Constitution began proceedings in New York City on April 8, 1789, and on December 1, 1790, removed to Philadelphia, which was chosen by the act of July 16, 1790 (1 Stats., 130) as the temporary seat of Government until its removal to the District of Columbia.

The Congress of the Revolution held its first session in Philadelphia, Pa., September 5, 1774. It also met in Baltimore, Md.; Lancaster and York, in Pennsylvania; Princeton and Trenton, in New Jersey; Annapolis, in Maryland; and in New York City, in the order as stated.

COUNTY SUBDIVISION.

The District was divided into two counties by an act of Congress approved February 27, 1801 (2 Stats., 105). The portion derived from Virginia was named the county of Alexandria, and the portion from Maryland, including the islands in the Potomac River in said District (ib.), was named the county of Washington.

RETROCESSION OF ALEXANDRIA COUNTY.

Pursuant to an act of Congress of July 9, 1846 (9 Stats., 35), and with the assent of the people of the county and town of Alexandria, President Polk, by proclamation of September 7, 1846, gave notice that the portion derived from the State of Virginia was re-ceded to that State. The District was thereby reduced to its present area.

BOUNDARY BETWEEN THE DISTRICT OF COLUMBIA AND THE STATE OF VIRGINIA.

The boundary line between the District of Columbia and the State of Virginia has, by judicial decisions, and by acts of Virginia and Maryland and of Congress, been fixed at low-water mark on the Virginia shore of the Potomac River.

The low-water mark on the Potomac to which Virginia has a right in the soil is to be measured by the same rule; that is to say, from low-water mark at one headland to low-water mark at another, without following indentations, bays, creeks, inlets, or affluent rivers. (Act of Congress approved March 3, 1879, 20 Stats., 482.)

CENSUS.

The population of the District from 1790 to 1900 has been as follows:

Date	Washing- ton.	George- town.	Wash- ington County subur- bans.	Alexan- dria City.	Alexan- dria County subur- bans.	Total.	Colored, included in total.	Slaves included in col- ored.
1790				2,741				
1800	3,210	2,993	1,941	1,971	978	11,092	2,472	2,977
1810	8,298	4,948	2,157	7,227	1,327	24,923	5,127	1,001
1820	43,217	7,560	2,726	8,218	1,188	33,639	7,278	4,320
1830	18,827	8,411	2,903	8,263	1,516	33,834	9,410	1,000
1840	23,364	7,312	3,069	8,459	1,908	43,712	9,849	3,320
1850	40,001	8,566	3,329	(c)	(d)	51,987	13,746	3,987
1860	61,122	8,733	5,254			75,089	14,211	189
1870	109,199	11,884	11,117			131,700	43,463	0
1875	151,947	11,571	16,363			169,661	51,624	
1880	147,293	12,378	17,735			177,624	59,496	
1885	173,606	14,322	15,531			203,459	67,187	
1888	179,418	14,335	24,364			218,157	72,321	
1890	188,632	14,046	27,411			230,089	73,371	
1891	217,617	15,717	37,155			270,519	87,034	
1897	226,698	15,809	41,195			277,782	88,623	
1900	232,715	d	43,973			278,718		

a Alexandria City and County re-ceded to Virginia in 1846.

b See under head of "Abandonment of African slavery," supra. The increase in population of Alexandria County in 1830 was due to absence of slaves and other residents thereof, on account of constructing the Chesapeake and Ohio Canal.

c The item of 15,351 for suburb an census of 1888 agrees with the official returns.

d Georgetown became a part of Washington in February 11, 1878, pursuant to an act of Congress of that date. The population of that part of Washington contributing to the census of 1880 is 1,000.

The census for 1890 and each subsequent decade was taken by the United States for the year ending by the board of assessors, and for the years 1884, 1888, 1891 and 1897 by the Metropolitan police department.

## ABOLITION OF AFRICAN SLAVERY.

African slavery in the District of Columbia was abolished April 16, 1862, by the act of Congress approved on that date and entitled "An act for the release of certain persons held to service or labor in the District of Columbia" (11 Stats., 376), which provided, among other things:

That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.

This act also directed the President of the United States to appoint three commissioners to appraise and apportion the value and validity of claims of "all persons loyal to the United States" "for service or labor against persons discharged therefrom by this act," "not to exceed in the aggregate an amount equal to three hundred dollars for each person shown to have been so held by lawful claim." One million dollars was appropriated in the act to carry it into effect, and \$100,000 more to aid in colonizing in Haiti, Liberia, or such other country as the President might determine, such free persons of African descent then residing in the District as desired to emigrate.

Trade in slaves in the District was by act of September 20, 1850, prohibited after January 1, 1851 (4 Stats., 467).

## FORMS OF LOCAL GOVERNMENT.

A brief account of the several forms of local government which have been in operation in the District since its establishment as the seat of the General Government is hereinafter given under the heads of "The city of Washington," "Georgetown," "The Levy Court," and "The District of Columbia."

## THE CITY OF WASHINGTON.

## LOCATION.

The locality in the District of Columbia designated "the city of Washington" occupies a peninsula formed by the main and eastern branches of the Potomac River. It embraces the Federal city as laid out by the commissioners appointed in 1791, and the town of Georgetown, which was consolidated with it February 11, 1895, by an act of Congress of that date.

The portion of the city not within the limits of former Georgetown was established pursuant to the provisions of section 3 of the act of Congress of July 16, 1790, entitled "An act for establishing the temporary and permanent seat of the Government of the United States" (2 Stats., 130), which provided that the commissioners appointed under section 2 of said act to define the limits of the District of Columbia should have the power "to purchase or accept such quantity of land on the eastern side of said (Potomac) river, within the said District, as the President shall deem proper for the use of the United States, and according to such plans as the President shall approve; the said commissioners, or any two of them, shall, prior to the first Monday in December, in the year one thousand eight hundred, provide suitable

buildings for the accommodation of Congress, and of the President, and for the public offices of the Government of the United States."

The city was located in the portion of the District ceded by Maryland conformably to the requirement of the act of March 3, 1791, amendatory of the act of July 16, 1790, "that nothing herein contained shall authorize the erection of the public buildings otherwise than on the Maryland side of the river Potomac." By an act of Congress approved August 18, 1856 (21 Stats., 120), the bounds of the corporation of the city of Washington were extended so far as to comprehend the Lower Eastern Branch or Navy-Yard Bridge.

#### AREA.

As first established it contained 6,110.94 acres; but on February 11, 1895, its area was increased to 6,511.69 acres by the annexation of Georgetown.

#### PROCUREMENT OF THE SITE.

The proprietors of the 6,110.94 acres conveyed the same on June 29, 1791, in trust to two trustees, Thomas Beall and John Mackall Gantt, "to be laid out for a Federal city, with such streets, squares, parcels, and lots as the President of the United States for the time being shall approve."

Those trustees were required to convey, "for the use of the United States forever," to the commissioners appointed to lay out the District and city, all the said streets and such of the said squares, parcels, and lots as the President might deem proper for such use.

The interest of the State of Maryland in the site was, by the legislature of that State, on December 19, 1791, vested in the same trustees, subject to the same terms and conditions as those to which the said proprietors had subjected their land.

#### THE DESIGNING OF THE PLAN OF THE CITY.

The credit of designing the plan of Washington is mainly due to Maj. Pierre Charles L'Enfant, who was employed for that purpose. His plan, without material alteration, was approved by President Washington in August, 1791, but upon his contumacious refusal of the commissioners' request that his plan be engraved, he was dismissed March 1, 1792.

Upon the dismissal of Major L'Enfant, Andrew Ellicott, who had assisted in surveying the site, was directed to "finish the laying of the plan on the ground," and prepare a plan from the materials gathered and from the information obtained by him while assisting L'Enfant in making the surveys. His plan, which was substantially that of L'Enfant, was the first plan engraved and published for distribution. Its publication and promulgation were alluded to by President Washington as "giving the final and regulating stamp to the city of Washington." The general features of this plan have stood the test of time so well that Congress, by an act approved August 27, 1888 (25 Stats., 451), directed that "no future subdivisions of land in the District of Columbia without the limits of the cities of Washington and Georgetown shall be recorded in the surveyor's office of said District unless made in conformity with the general plan of the city of Washington," and adopted it in the general highway-extension law of March 2, 1893.

THE FEE SIMPLE TO THE STREETS AND RESERVATIONS.

In consequence of disputes as to the meaning of portions of the deed the trustees refused to convey the streets and reservations to the commissioners appointed to lay out the city; but the Supreme Court of the United States decided that the fee simple therein was vested in the United States. (John P. Van Ness and Marcia, his wife, complainants, appellants, *v.* The Mayor, Aldermen, and Board of Common Council of the City of Washington and the United States of America, defendants. 4 Peters, 232.)

DISTRIBUTION OF LOTS.

The deed in trust directed that a fair and equal division should be made of the land not taken for streets, squares, parcels, and lots for the use of the United States; that the lots assigned to the proprietors should be conveyed to them by the trustees, and that the other lots be sold as the President might direct; the proceeds of such sales to be first applied to the payment, in money, to the proprietors for the land set apart for the use of the United States, excepting the streets, at £25. or \$66 $\frac{2}{3}$  per acre, and the remainder to providing public buildings as contemplated by sections 3 and 4 of the act of July 16, 1790.

While the trustees, by a deed dated November 30, 1796, conveyed to the commissioners appointed to lay out the city such lands as were allotted to the United States, no reconveyance was made by the trustees to the original grantors of the lands to which they were entitled under the trust deeds. The act of the Maryland legislature of December 19, 1791, however, which ratified the cession of the territory selected as the site of the District, provided that the commissioners should have recorded every allotment and assignment to the respective proprietors, and these entries of allotment, together with the certificates thereof, are the only evidence of title of the original grantors to the portions to which they were entitled under the provisions in their trust deeds. (See opinion of Attorney-General Cushing, dated August 1, 1855.)

The land was divided as follows:

	Acres.
Total number of acres taken for the city .....	6, 110. 94
Donated to the United States for avenues, streets, and alleys .....	3, 606
Donated to the United States, 10,136 building lots .....	982
Bought by the United States for public buildings and use .....	541
	5, 129
10,136 lots given back to former owners .....	981. 94

As the 541 acres for public buildings and reservations were required to be paid for out of the first proceeds of the sale of the lots donated to the Government, it will be seen that of the 6,111 acres 5,129, or five-sixths of the whole, were a gift to the Government. Thus the United States not only got without cost the fee simple in the streets and the sites and grounds for the Capitol and other public buildings, but received a large amount of money from the net proceeds of the sales of the alternate building lots apportioned to it.

NAMING THE CITY.

The first official mention of the city by name was in a letter of the original commissioners to the President, dated September 9, 1791, in which they state: "We have agreed that the Federal district shall be



called the Territory of Columbia, and the Federal city the City of Washington," although they had no statutory authority to name either of them.

The first statutory reference to it by that name is in the title of "An act authorizing a loan for the use of the city of Washington, in the District of Columbia, and for other purposes therein mentioned," approved May 6, 1796, but the name does not occur in the body of the law.

The boundaries of the city were never specifically defined by law.

#### THE FIRST CITY OFFICIALS.

The first local officials of the Federal city were the President of the United States, the three commissioners appointed by the President under act of July 16, 1790, and, to a limited extent, the officers of the levy court. On July 1, 1802, the office of the three commissioners was abolished by section 1 of "An act to abolish the board of commissioners in the city of Washington, and for other purposes, approved May 1, 1802" (2 Stats., 175), which directed the commissioners to deliver all their official records and property relating to said city to an officer created by said act and styled "superintendent," to be appointed by the President, and to succeed to all the powers and duties of said commissioners.

This office of "superintendent" was abolished March 3, 1817, by the operation of an act of Congress approved April 29, 1816 (3 Stats., 324), which, in lieu thereof, created the office of one commissioner to superintend public buildings and succeed to all the powers and duties of the former three commissioners and of said superintendent, but to "hold no other office under the authority of the United States."

The office of commissioner in charge of public buildings so created was abolished and its duties and powers transferred to the Chief of Engineers of the United States Army by an act of Congress approved March 2, 1867 (14 Stats., 466).

The duties which were thus transferred to the Chief of Engineers were, with subsequent additions and changes, those which related to the supervision of the national public buildings and grounds in the city of Washington, excepting the care and improvement of the streets and other public highways.

The duties which commonly appertain to municipal control were, as hereinafter stated, intrusted to the inhabitants of the city of Washington by an act incorporating them for that purpose.

#### THE FIRST CHARTER OF THE CITY OF WASHINGTON.

The first incorporation of the inhabitants of the city of Washington was effected by an act of Congress approved May 3, 1802 (2 Stats., 195). This charter provided for a mayor appointable by the President of the United States, and a city council to be elected by the people, and was modified by subsequent acts of Congress. The first mayor was appointed in June, 1802, and was reappointed annually and served until the second Monday in June, 1812. An act of Congress of May 4, 1812 (2 Stats., 721), devolved the duty of electing a mayor upon the city council. That method was in force until the first Monday of June, 1820, from which date, pursuant to said act of Congress approved May 15, 1820, the mayor was elected by the people for terms of two years until May 31, 1871, on which date the charter of the corporation expired pursuant to the provisions of an act of Congress approved February 21, 1871 (16 Stats., 419), which continued the name of the city of Washington, but only as a local designation.

WIDTH OF HIGHWAYS.

The widths of the streets and avenues of Washington, between the building lines, are:

NORTH.

A	B	C	D	E	F	G	H	I	K	L	M	N	O	P	Q	R	S	T	
90	90	80	70	90	100	90	90	90	147.8	90	80	90	90	90	90	90	90	90	
										U	V	W							
										90	80	80							

SOUTH.

A	B	C	D	E	F	G	H	I	K	L	M	N	O	P	Q	R	S	T	U	V	W	
90	90	80	90	90	70	100	80	90	80	90	90	90	85	85	85	85	85	85	85	80	80	40

EAST.

$\frac{1}{2}$	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
80	110	90	90	85	100	85	90	100	90	80	90	112	90	100	90	80	100	80	
										19	20	21	22	23	24				
										80	100	80	80	80	80				

WEST.

$\frac{1}{2}$	1	2	3	4	4 $\frac{1}{2}$	5	6	7	8	9	10	11	12	13	13 $\frac{1}{2}$	14	15					
80	90	90	110	80	110	80	100	85	100	85	85	111.5	85	110	70	110	110					
										16	17	18	19	20	21	22	23	24	25	26	27	28
										160	110	90	110	90	90	90	100	90	90	80	70	80

North and South Capitol, 130; East Capitol, 160; Boundary, 80; Water, 60 and 80.

AVENUES.

Connecticut, 130; Delaware, 160; Georgia, 150; Indiana, 160; Kentucky, 120; Louisiana, 160; Maryland, 160; Massachusetts, 160; Missouri, 85; Maine, 85; New York, east of Fifteenth street, 130; New York, west of Seventeenth street, 160; New Jersey, 160; North Carolina, 160; New Hampshire, 120; Ohio, 160; Pennsylvania, east of Fifteenth street, 160; Pennsylvania, west of Seventeenth street, 130; Rhode Island, 130; South Carolina, 160; Tennessee, 120; Vermont, 130; Virginia, Mall to Eastern Branch, 160; Virginia, B street to Rock Creek, 120.

Besides the aforesaid streets and avenues, a number of small streets have been named by Congress or the corporation of Washington and approved by the President of the United States.

Many minor streets which were not in the original plan of the city, nor created by specific legislative action, have been made by the subdivision of squares and lots, and general authority is given by an act of Congress approved July 22, 1892, as amended by act of August 24, 1894, to open minor streets not less than 40 nor more than 60 feet wide, to run through a square from one street to another.

An act of Congress approved March 1, 1884 (23 Stats., 3), declares that all public roads and highways while kept up and maintained as such are post routes.

ORIGINAL ALLEYS.

resident Washington, in his order of October 17, 1791, regulating the manner and materials for building in the city of Washington, states: "The way into the squares being designed in a special manner

for the common use or convenience of the occupiers of the respective squares, the property in the same is reserved in the public, so that there may be an immediate interference on any abuse of the use thereof by any individual to the nuisance or obstruction of others."

#### GEORGETOWN.

The part of Washington which was formerly Georgetown was laid out pursuant to an act of the province of Maryland dated June 8, 1751, passed in response to a petition of several inhabitants of Frederick County, in said State. This act appointed seven commissioners to purchase 60 acres belonging to Messrs. George Gordon and George Beall, on the Potomac River, "above the mouth of Rock Creek, adjacent to the inspection house in the county aforesaid," and to cause the said 60 acres to be "surveyed, divided, and laid out, as near as conveniently may be, into 80 equal lots, allowing sufficient space or quantity thereof for streets, lanes, and alleys." The act then adds that upon the completion of said proceedings the locality is "erected into a town, and shall be called by the name of Georgetown." It was never incorporated as a city, but was commonly called the city of Georgetown as a consequence of the casual reference to it by that title in numerous acts of Congress.

The general supposition is that the town was named in honor of George II, then the reigning sovereign of Great Britain, but it is also contended that it was named as a compliment to the two Georges from whom the site was obtained.

The commission, whose membership was reduced to five in 1784, continued to exercise the local municipal authority in the town until December 25, 1789, when the town was incorporated by an act of the general assembly of Maryland of that date with a mayor, recorder, aldermen, and common council. The first mayor was appointed by that act for one year, to commence January 1, 1790. The office was thereafter filled annually on the first Monday of January by the votes of the mayor, recorder, and common council, or in an analogous manner, until the fourth Monday of February, 1831. The office was then and thereafter biennially filled by vote of the people.

The streets of this part of Washington generally run due north and south and east and west.

By an arbitrary order of the District Commissioners, dated October 4, 1880, the north and south streets were renamed from Twenty-sixth to Thirty-eighth, both included, in continuation of the western series of the streets of Washington having the same general direction; and the east and west streets from K (or Water) to W in order to agree as nearly as practicable with the corresponding streets in Washington.

A few streets, viz. Prospect, Dumbarton, Olive, Jefferson, Valley, Potomac, Grace, and Needwood, were so situated as not to admit of designation under either of those systems.

The streets are 60 feet wide from building line to building line, except K, which is 70; M, 82½; Thirty-fifth, 80; Thirty-second from K to the angle south of N, 82½; Valley, 33; Mill, 33; and Poplar, 40.

Georgetown had been enlarged by numerous additions, until it embraced 400¾ acres.

Its charter was revoked May 31, 1871, by the act of Congress of February 21, 1871, aforesaid, by which its name was retained as a topographical designation, until its consolidation with Washington by the act of February 11, 1895 (28 Stats., 650).

## THE LEVY COURTS.

When the District of Columbia was first established the local public affairs of that portion of its territory located in Maryland were administered by two bodies, which had jurisdiction over the portions derived from Prince George County and from Montgomery County, respectively, composed of justices of the peace, who were commissioned by the governor and council of that State as "justices of the levy court."

The jurisdiction for the same purposes in the portion derived from Virginia at that time reposed in the county courts of that State.

By section 11 of an act of Congress approved February 27, 1801 (2 Stats., 107), the President of the United States was directed to appoint, in and for each of said counties, an indefinite number of justices of the peace, to continue in office for five years. Section 4 of an act approved March 3, 1801 (ib., 115), constituted these magistrates a "board of commissioners," with the same powers and duties as those then performed by the levy courts of Maryland.

Under the above-mentioned and subsequent laws of Congress the levy courts administered the local governmental affairs of that part of the District of Columbia situated outside of the cities of Washington and Georgetown.

No subsequent legislation seems to have been enacted by Congress relative to the jurisdiction of the levy court of the county of Alexandria except as it was affected by the act re-ceding that county to Virginia.

The membership of the court for that part of the District derived from Maryland was fixed at seven by the act of July 1, 1812 (2 Stats., 773), to be annually designated by the President of the United States from among the existing magistrates of the county; two from east of Rock Creek, outside of the city of Washington; two from west of Rock Creek and outside of Georgetown, and three from Georgetown. The city of Washington, although not represented in the court, was required by section 11 of the same act to bear and defray equally with the other parts of the county the general county expenses and charges, other than for the expenses of the roads and bridges outside of the limits of Washington and Georgetown; but by section 16 of the act of May 17, 1848 (9 Stats., 230), the President was directed to appoint four members from the city of Washington in addition to the seven appointable from the other portions of the District.

The requirement that the membership of the court should be selected from among the justices of the peace for the county of Washington was repealed May 3, 1862, by an act of that date (12 Stats., 384).

By an act approved March 3, 1863 (12 Stats., 799), the membership of the court was reduced to nine persons, without respect to their occupations, to be appointed by the President and confirmed by the Senate, in such manner that the terms of one-third of the members should expire annually, and its jurisdiction and functions were specifically prescribed.

The functions of the levy court remained substantially as established by the last-named act until May 31, 1871, when the court was abolished by the act of February 21, 1871 (16 Stats., 428), which consolidated the local governments in the District into one municipality.

## FIRST MUNICIPAL GOVERNMENT OF THE ENTIRE DISTRICT OF COLUMBIA.

The act of Congress of February 21, 1871, which revoked the charters of the corporations of the city of Washington, Georgetown, and

the levy court of the county of Washington, established in their stead a single municipal government named the District of Columbia, having jurisdiction conterminous with "all that territory which was ceded by the State of Maryland to the Congress of the United States for the permanent seat of the Government of the United States." All valid laws and ordinances then existing in the District were, by said act, continued in force. The new municipality consisted of a governor, a board of public works composed of the governor and four other persons, a secretary, a board of health, a legislative assembly consisting of a council of eleven members, and a house of delegates consisting of twenty-two members, and a Delegate in the House of Representatives of the United States.

The governor, the board of public works, the secretary, the board of health, and the council were appointed by the President of the United States, by and with the consent of the Senate. The members of the house of delegates and the Delegate in the House of Representatives were elected by the qualified voters of the District of Columbia. The official term of the governor, members of the board of public works, the secretary, and the members of the board of health was four years; the term of the members of the council and the Delegate to Congress two years, and the term of the members of the house of delegates one year.

#### SECOND MUNICIPAL GOVERNMENT OF THE ENTIRE DISTRICT OF COLUMBIA.

On June 20, 1874, by an act of Congress of that date (18 Stats., 116), the form of government established by the act of February 21, 1871, was abolished, and the executive municipal authority in the District temporarily vested in three Commissioners appointed by the President of the United States and confirmed by the Senate, who succeeded in general to the powers and duties of the governor and the board of public works. All valid laws affecting the District then existing were continued in force.

This temporary form of government existed until July 1, 1878, when, pursuant to an act of Congress of June 11, 1878 (20 Stats., 102), it was succeeded by the present form.

#### THE PRESENT FORM OF GOVERNMENT FOR THE DISTRICT OF COLUMBIA.

The present local government of the District of Columbia is a municipal corporation, having jurisdiction coincident with the territory which had been subject to the two municipal governments immediately preceding it. This government is administered by a board of three Commissioners, having in general equal powers and duties. Two of them, who must have been actual residents of the District for three years next before their appointment, and have during that period claimed residence nowhere else, are appointed from civil life by the President of the United States, and confirmed by the Senate of the United States, for a term of three years each, and until their successors are appointed and qualified. Attorney-General Devens rendered an opinion July 7, 1880, that the term of office of any Commissioner appointed from civil life, whose predecessor shall not have served a full term of three years, is three years from the date of his appointment and until his successor shall be appointed and qualified, and not for the unexpired part of such

predecessor's term. The other Commissioner is detailed from time to time by the President of the United States from the Engineer Corps of the United States Army, and shall not be required to perform any other duty (20 Stats., 103). The act of June 11, 1878, prescribes that the Commissioner so detailed shall have lineal rank above that of captain; but this requirement is qualified by the joint resolution approved December 24, 1890 (26 Stats., 1113), which provides that he—

may, in the discretion of the President of the United States, be detailed from among the captains or officers of higher grade having served at least fifteen years in the Corps of Engineers of the Army of the United States. ✓

Three officers of the same corps, junior to said Commissioner, may be detailed to assist him by the President of the United States (28 Stats., 216).

The senior officer of the Corps of Engineers of the Army who shall for the time being be detailed to act as assistant (and in case of his absence from the District or disability, the junior officer so detailed) shall, in the event of the absence from the District or disability of the Commissioner who shall for the time being be detailed from the Corps of Engineers, perform all the duties imposed by law upon said Commissioner (26 Stats., 1113).

#### SALARY AND BOND OF COMMISSIONERS.

The salary of each of the Commissioners is \$5,000 per annum. The two Commissioners appointed from civil life give bond to the United States in the sum of \$50,000 each (20 Stats., 103; 21 Stats., 460). No bond is required of the Commissioner detailed from the Corps of Engineers.

#### OATH OF OFFICE OF COMMISSIONERS.

Each of said Commissioners shall, before entering upon the discharge of his duties, take an oath or affirmation to support the Constitution of the United States and to faithfully discharge the duties imposed upon him by law (20 Stats., 103).

#### PRESIDENT OF THE BOARD.

One of said Commissioners shall be chosen president of the Board of Commissioners at their first meeting, and annually and whenever a vacancy shall occur thereafter (20 Stats., 103).

#### QUORUM.

Any two of the Commissioners of the District of Columbia, *sitting as a board*, shall constitute a quorum for the transaction of business (26 Stats., 1113).

#### SUBDIVISION OF DUTIES.

For the purpose of facilitating the administration of the various municipal affairs, the Commissioners have arranged their duties in substantially three groups and have assigned a several one of these groups to the immediate supervision of each Commissioner, whose recommendations on the matters so allotted to him are ultimately acted upon by himself and his colleagues as a board. ✓

## EX OFFICIO DUTIES OF COMMISSIONERS.

One of the Commissioners is ex officio a member of the board of trustees of the Reform School for Boys (21 Stats., 156), and one an ex officio trustee of the Columbia Hospital for Women and Lying-in Asylum (ib., 157).

## POWER OF APPOINTMENT AND REMOVAL.

The Commissioners are authorized to abolish any office, to consolidate two or more offices, reduce the number of employees, remove from office, and make appointment to any office under them authorized by law.

## GENERAL DUTIES OF COMMISSIONERS.

The Commissioners are in a general way vested with jurisdiction covering all the ordinary features of municipal government.

Although Congress is vested with exclusive legislative authority in the District of Columbia, it has by sundry statutes empowered the Commissioners to make building regulations; plumbing regulations; to make and enforce all such reasonable and usual police regulations as they may deem necessary for the protection of lives, limbs, health, comfort, and quiet of all persons and the protection of all property within the District, and other regulations of a municipal nature. The Commissioners have from time to time exercised the duty so devolved upon them.

In the exercise of their duties, power, and authority, they must make no contract nor incur any obligation other than such contracts and obligations as shall be approved by Congress (20 Stats., 103).

## ESTIMATES.

The Commissioners are required to submit to the Secretary of the Treasury of the United States, on or before October 1 of each year, an estimate of the amount necessary to defray the expenses of the government of the District of Columbia for the next fiscal year, which the Secretary of the Treasury shall transmit to Congress with a statement as to the extent to which said estimates have his approval (20 Stats., 104; 23 Stats., 254).

## APPORTIONMENT OF EXPENSE.

The organic act declares that "To the extent to which Congress shall approve of said estimates, Congress shall appropriate the amount of fifty per centum thereof; and the remaining fifty per centum of such approved estimates shall be levied and assessed upon the taxable property and privileges in said district other than the property of the United States and of the District of Columbia" (20 Stats., 104).

## ASSESSMENTS.

The assessment of real property for the purpose of general annual taxation is made by a board of three assistant assessors, who sit also with the assessor as a board of equalization to hear appeals from their assessments. This assessment is made every three years, but the assistant assessors have power to assess at any time any assessable

real property which may have escaped assessment or become liable thereto since the last triennial assessment, and to strike off any property which for any reason shall since then have become nonassessable.

Taxable personal property is assessed by the assessor whenever he becomes cognizant that any property of that nature liable to taxation has not been assessed.

Assessments against private real property for its share of the cost of public works especially beneficial thereto, and for other special charges except for use of water, are also made by the assessor.

Water rents are assessed by the water department.

#### RATE OF TAXATION.

The rate of taxation in any one year shall not exceed \$1.50 on every \$100 of real estate not exempted by law; and on personal property not taxable elsewhere \$1.50 on every \$100, according to the cash valuation thereof. Upon real property held and used exclusively for agricultural purposes without the limits of the city of Washington, and to be so designated by the assessors in their annual returns, the rate for any one year shall not exceed \$1 on every \$100 (20 Stats., 105).

#### FISCAL YEAR.

The fiscal year begins with July 1 and terminates with the 30th of the succeeding June.

#### PROPOSALS.

When any repairs of streets, avenues, alleys, or sewers within the District of Columbia are to be made, or when new pavements are to be substituted in place of those worn out, new ones laid, or new streets opened, sewers built, or any works the total cost of which shall exceed the sum of \$1,000, notice must be given in one newspaper in Washington, and if the total cost shall exceed \$5,000 then in one newspaper in each of the cities of New York, Philadelphia, and Baltimore, also, for one week, for proposals, with full specifications as to material for the whole or any portion of the works proposed to be done (20 Stats., 105).

The lowest responsible proposal for the kind and character of pavement or other work which the Commissioners shall determine upon must in all cases be accepted, but the Commissioners have the right, in their discretion, to reject all of such proposals (ib.).

#### CONTRACTS.

Work capable of being executed under a single contract shall not be subdivided so as to reduce the sum of money to be paid therefor to less than \$1,000 (ib.).

All contracts for the construction, improvement, alteration, or repairs of the streets, avenues, highways, alleys, gutters, sewers, and all work of like nature must be made and entered into only by and with the official unanimous consent of the Commissioners of the District (ib., 106).

The Commissioners may make separate contracts for materials and for labor, in executing public works (22 Stats., 125).



And all the contracts shall be copied into a book kept for that purpose and be signed by the said Commissioners, and no contract involving an expenditure of more than \$100 shall be valid until recorded and signed as aforesaid (20 Stats., 106).

Pursuant to an order dated August 2, 1878, all contracts are prepared by and recorded by the Engineer Commissioner.

The Comptroller of the Treasury orally advised the Commissioners that books composed of original copies of contracts bound together would meet the requirements of this law as to copying contracts into a book.

#### OFFICERS' AND CONTRACTORS' BONDS.

Good and sufficient bonds to the United States, in a penal sum *not less than the amount of the contract*, with sureties to be approved by the Commissioners of the District of Columbia, shall be required from all contractors, guaranteeing that the terms of their contract shall be strictly and faithfully performed to the satisfaction of and acceptance by said Commissioners (20 Stats., 106).

Neither of said Commissioners, nor any officer whatsoever of the District of Columbia, shall be accepted as surety upon any bond required to be given to the District of Columbia. Nor shall any contractor be accepted as surety for any officer or other contractor in said District (ib., 103).

Every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary.

Every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every four years after their dates, or oftener if he deem such action necessary. In his discretion a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service, pending the appointment and qualification of his successor. The nonperformance of any of said requirements on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States, and the liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal; nor shall anything in the foregoing be construed to repeal or modify section 3836 of the Revised Statutes of the United States. (28 Stats., 807.)

#### TERM OF CONTRACTORS' LIABILITY.

Contractors shall keep new pavements or other new works in repair for a term of five years from the date of the completion of their contracts (20 Stats., 106).

#### RETENTS FROM CONTRACTORS.

Ten per cent of the cost of all new works shall be retained as an additional security and a guarantee fund to keep the same in repair for said term (20 Stats., 106), which said per cent may be invested by

the Treasurer of the United States, at the request and risk of the contractor, in any class of bonds of the United States or of the District of Columbia, whenever the retent is \$100 or more (24 Stats., 501).

#### PUBLIC SCHOOLS.

The Commissioners of the District of Columbia are authorized to appoint seven persons, bona fide residents and taxpayers of the District of Columbia, and who have been such for five years immediately preceding their appointment, who constitute a board of education, and whose term of office is seven years, except that the terms of the persons first appointed terminate as follows: One each year, to be determined by lot among the seven members of the board first appointed. The compensation of members of the board is \$10 each for personal attendance at each meeting, but shall not exceed for any member \$500 per annum. The board has complete jurisdiction over all administrative matters connected with the public schools of the District of Columbia, except that all expenditures of public funds for such school purposes are made and accounted for as now provided by law under the direction and control of the Commissioners of the District of Columbia. The board makes all needful rules and regulations which may be proper for the government and control of schools, and makes annual report to the Commissioners of the District of Columbia, who transmit the same to Congress, of the condition and operations of said schools, and the sanitary and structural condition of all buildings in use as well as those in course of construction, with recommendations as respects needed changes.

The board has power to appoint one superintendent for all the public schools of the District of Columbia, two assistant superintendents, one of whom, under the direction of the superintendent, has charge of schools for colored children; a secretary, and three clerks, and to remove said officers at its pleasure, and has power to employ and remove all teachers, officers, and other employees connected with the public schools not already specified. Graduates of the normal schools have preference in all cases when appointments of teachers for the grade schools are to be made. The superintendent annually submits to the board for its approval the course of studies and list of textbooks and other apparatus used in said schools.

The board annually sends to the Commissioners of the District of Columbia an estimate in detail of the amount of money required for the public schools for the ensuing year, and the Commissioners include the same in their annual estimate of appropriations for the District of Columbia with such recommendations as they deem proper. (Act of Congress approved June 6, 1900.)

#### BOARD OF CHARITIES.

A board of charities, to consist of five members, residents of the District, shall be appointed by the President of the United States, by and with the advice and consent of the Senate, each for a term of three years, but in such manner that the terms of not more than two of them shall expire in any one or the same year. The members of said board shall serve without compensation. No member shall serve as trustee or other administrative officer of any institution subject to the visitation of the said board. The board shall elect a president and vice-president from among its own members, and shall appoint a secretary

and such other officers, inspectors, and clerks as it may deem proper, and fix the number, duties, and compensation thereof subject to appropriations of Congress.

The said board of charities shall visit, inspect, and maintain a general supervision over all institutions, societies, or associations of a charitable, eleemosynary, correctional, or reformatory character which are supported in whole or in part by appropriations of Congress, made for the care or treatment of residents of the District of Columbia; and no payment shall be made to any such charitable, eleemosynary, correctional, or reformatory institution for any resident of the District of Columbia who is not received and maintained therein pursuant to the rules established by such board of charities, except in the case of persons committed by the courts, or abandoned infants needing immediate care. The officers in charge of all institutions subject to the supervision of the board of charities shall furnish said board, on request, such information and statistics as may be desired; and to secure accuracy, uniformity, and completeness of such statistics the board may prescribe such forms of report and registration as may be deemed to be essential; and all plans for new institutions shall, before the adoption of the same, be submitted to said board for suggestion and criticism. The Commissioners of the District of Columbia may at any time order an investigation by the board, or a committee of its members, of the management of any penal, charitable, or reformatory institution in the District of Columbia; and said board, or any authorized committee of its members, when making such investigation, shall have power to send for persons and papers and to administer oaths and affirmations; and the report of such investigation, with the testimony, shall be made to the Commissioners. All accounts and expenditures of said board shall be certified as may be required by the Commissioners, and paid as other accounts against the District of Columbia. The said board shall make an annual report to Congress, through the Commissioners of the District of Columbia, giving a full and complete account of all matters placed under the supervision of the board, all expenses in detail, and all officers and agents employed, with a report of the secretary, showing the actual condition of all institutions and agencies under the supervision of the board, the character and economy of administration thereof, and the amount and sources of their public and private income. The said report shall also include recommendations for the economical and efficient administration of the charities and reformatories of the District of Columbia. The said board shall prepare and include with its annual report such estimates of future appropriations as will, in the judgment of a majority of its members, best promote the effective, harmonious, and economical management of the affairs under its supervision; and such estimates submitted shall be included in the regular annual Book of Estimates. No member or employee of said board shall be either directly or indirectly interested in any contract for building, repairing, or furnishing any institution which the board is authorized to investigate and supervise (ib.).

#### BOARD OF CHILDREN'S GUARDIANS.

AN ACT To provide for the care of dependent children in the District of Columbia and to create a board of children's guardians.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be created, in

and for the District of Columbia, a board to be known as the board of children's guardians, composed of nine members, who shall serve without compensation, the said board to be a body politic and corporate and to have the powers and to be constituted in the manner hereinafter provided.

SEC. 2. That the members of the board of children's guardians shall be appointed by the judges of the police court and the judge holding the criminal court of the District of Columbia, met together for that purpose; the assent of a majority of such judges being necessary to appointment in each case: *Provided*, That there shall always be at least three representatives of each sex upon the board. Of the nine members first appointed after the passage of this act, three shall be appointed for one year, three for two years, and three for three years. Thereafter all appointments, except such as shall be made for the remainder of unexpired terms, shall be for the term of three years. The judges of the police court and the judge holding the criminal court, or a majority of them, when met together for that purpose, may remove for cause any member of the board: *Provided*, That such member shall be given an opportunity to be heard in his own defense.

SEC. 3. That the board shall elect from its own members a president, vice-president, and secretary, who shall severally discharge the duties usual to such offices, or such as the by-laws of the board may prescribe. The board shall have the power subject to the approval of the Commissioners to employ not more than two agents, at an annual compensation not exceeding two thousand four hundred dollars for the two, and prescribe their duties, and to conclude arrangements with persons or institutions for the care of dependent children at such rates as may be agreed upon.

SEC. 4. That said board shall have the care and supervision of the following classes of children: First. All children committed under section two of the act approved February thirteenth, eighteen hundred and eighty-five, entitled, "An act for the protection of children in the District of Columbia, and for other purposes." Second. All children who are destitute of suitable homes and adequate means of earning an honest living, all children abandoned by their parents or guardians, all children of habitually drunken or vicious or unfit parents, all children habitually begging on the streets or from door to door, all children kept in vicious or immoral associations, all children known by their language or life to be vicious or incorrigible whenever such children may be committed to the care of the board by the police court or the criminal court of the District; and power is hereby given to these courts to commit such children when not over sixteen years of age to said board: *Provided*, That the laws regulating the commitment of children to the reform schools of the District shall not be deemed to be repealed in any part by this act. Third. Such children as the board of trustees of the reform school for boys or the reform school for girls, may, in their discretion, commit to the Board of Children's Guardians, and power is hereby given the board of trustees of the said reform school to commit any inmate of their respective institutions to the said board of guardians, conditionally upon the good behavior of the child so committed. Fourth. Under the rules to be established by the board, children may be received and temporarily cared for pending investigation or judgment of the court.

SEC. 5. That the board shall be the legal guardian of all children committed to it by the courts, and shall have full power to board them in

private families, to board them in institutions willing to receive them, to bind them out or apprentice them, or to give them in adoption to foster parents. Children received from the reform school shall be placed at work, bound out or apprenticed, and at any time before attaining majority may be returned to the school from which they came, if in the judgment of the board of guardians such a course is demanded by the interest of the community or the welfare of the child. All children under the guardianship of the board shall be visited not less than once a year by an agent of the board, and as much oftener as the welfare of the child demands. Children received temporarily may not be kept longer than one week, except by order of the police court or the criminal court.

Sec. 6. That the antecedents, character, and condition of life of each child received by the board shall be investigated as fully as possible, and the facts learned entered in permanent records, in which shall also be noted the subsequent history of each child, so far as it can be ascertained.

Sec. 7. That the Commissioners of the District shall have authority to prescribe the form of records to be kept by the board of guardians, and the methods to be employed by them in paying bills and auditing accounts; and an annual report of its operations hereunder shall be made by the board to the superintendent of charities. The superintendent of charities shall have full powers of investigation and report regarding all branches of the work of the board, as well as over all institutions in which children are placed by the board; and it shall be his duty to recommend annually the appropriations which in his judgment are necessary to the carrying on of its work; *Provided*, That the authority for placing feeble-minded children of the District of Columbia, heretofore given to the Secretary of the Interior, is hereby transferred to the Board of Children's Guardians. (27 Stats., 268, 552.)

#### DISPOSAL OF CITY REFUSE.

The Commissioners contract for periods not exceeding five years, and after advertisement for and the receipt of proposals, for the collection and disposal of garbage, miscellaneous refuse, ashes, night soil, and dead animals, under regulations and specifications they are authorized to establish.

All garbage collected must be disposed of through a reduction or consumption process in such manner as to entail no damage or claim against the District of Columbia for such disposal, and subject to the sanitary inspection and approval of the Commissioners. All garbage contracts expressly provide that no garbage or other vegetable or animal matter shall be dumped into the Potomac River or any other waters, fed to animals, or exposed to the elements upon land.

#### WATER SUPPLY.

The municipal water supply of the District is obtained from the Potomac River, through an aqueduct, about 12 miles long and 9 feet in diameter, and a system of reservoirs. This part of the water supply system is under the charge of the Chief of Engineers of the United States Army.

The distribution of the water to private consumers is effected by a system of mains and services laid and controlled under the supervision of the municipal government.

## AUDITING.

Disbursements are only made upon claims or accounts audited and approved by the auditor of the District of Columbia, except payments of interest and sinking fund of the bonded debt of the District, which are made by the Treasurer of the United States, ex officio commissioner of the sinking fund. The auditor also audits the accounts of the collector of taxes.

But, in order to further insure accuracy, the organic law requires that the accounts of said Commissioners and the tax collectors and all other officers required to account shall be also settled and adjusted by the accounting officers of the Treasury Department of the United States (20 Stats., 105). This auditing falls within the purview of the Auditor for the State and other Departments, subject to review by the Comptroller of the Treasury.

## DISBURSEMENTS.

All disbursements are made by the disbursing officer except those for the sinking fund, which are made by the Treasurer of the United States, ex officio commissioner of the sinking fund.

The disbursing officer is appointed by the Commissioners of the District of Columbia, and gives bond to the United States in the sum of \$50,000, conditioned for the faithful performance of the duties of his office in the disbursing and accounting, according to law, for all moneys of the United States and of the District of Columbia that come into his hands, which bond must be approved by the said Commissioners and the Secretary of the Treasury and be filed in the office of the Secretary of the Treasury. Advances in money, for which he must account, are made to him on the requisition of the Commissioners.

## JUDICIARY.

The judiciary of the District of Columbia consists of a court of appeals, a supreme court, a police court, justices of the peace, and a number of United States commissioners.

The court of appeals of the District of Columbia consists of a chief justice and two associate justices. The compensation of the chief justice is \$6,500 per annum and that of the associate justices \$6,000 per annum each.

The members of this court are appointed by the President and confirmed by the Senate, and hold office during good behavior.

The jurisdiction of this court extends to the review of the final orders and judgments of the supreme court of the District, and from such of its interlocutory orders as the court of appeals may allow in the interest of justice; it also has jurisdiction in cases of suits and controversies in law and equity arising under the patent or copyright laws, and damages for the infringement of any patent by action on the case in accordance with sections 4919, 4920, 4921, chapter 1, Title LX, Revised Statutes of the United States; also any party aggrieved by the decision of the Commissioner of Patents in any interference case may appeal therefrom to the court of appeals.

An appeal lies from the final judgment or decree of the court of appeals to the Supreme Court of the United States in all cases in which the matter in dispute exceeds \$5,000, and also without regard

to the sum in dispute wherein is involved the validity of any patent or copyright, or in which is drawn in question the validity of any statute of or an authority exercised under the United States.

The supreme court of the District of Columbia consists of one chief justice, with five associate justices, whose compensation is \$5,000 per annum each. The members of this court are appointed by the President of the United States and confirmed by the Senate, and hold office during good behavior. This court is a court of general jurisdiction, and it also has the same powers and exercises the same jurisdiction as the circuit courts of the United States. It has cognizance of all crimes and offenses committed within the District, and of all cases in law and equity between parties, both or either of whom shall be resident or be found within the District, and also of all actions or suits of a civil nature at common law or in equity in which the United States shall be plaintiff or complainant; and of all seizures on land or on water, and of all penalties and forfeitures arising or accruing under the laws of the United States. It is invested with jurisdiction to issue writs of mandamus to executive officers of the Federal and municipal government; it has also appellate jurisdiction over justices of the peace. It has jurisdiction of all applications for divorce, and may entertain petitions for change of name; and it has concurrent jurisdiction with justices of the peace when the amount in controversy exceeds \$100. Appeals lie from this court to the court of appeals. It is divided into a circuit court, an equity court, a district court, a criminal court, and a probate court.

The police court consists of two judges, whose compensation is \$3,000 per annum each. They are appointed by the President of the United States and confirmed by the Senate, for a term of six years. The jurisdiction of the court extends to the disposition of cases involving minor offenses against the criminal laws and the holding of persons brought before it for the action of the grand jury. Appeals lie from this court to the court of appeals.

Justices of the peace are appointed by the President of the United States and confirmed by the Senate, for a term of four years. They have civil jurisdiction in cases involving an amount less than \$300, and in landlord and tenant cases. They have no criminal jurisdiction. Appeals lie from them to the supreme court of the District.

The United States commissioners are appointed by the supreme court of the District. They are essentially examining magistrates, who conduct investigations into alleged violation of United States laws, and decide whether parties appearing before them shall be brought before the grand jury.

#### SUFFRAGE.

Residents of the District never had the right to vote therein for national officers, or on other matters of national concern, after it became the seat of the General Government. But from 1802 to June 20, 1874, the citizens of Washington, and from January 1, 1790, to said date the citizens of Georgetown, were entitled to vote on municipal subjects and for certain municipal officers; the citizens of the portion of the District outside of Washington and Georgetown were entitled to the same privilege from April 20, 1871, to June 20, 1874. The privilege was rescinded June 20, 1874, by the act of Congress of that date, which established the temporary commission form of government.

## STATUTE LIMITATIONS.

The statute limitations are: Regarding judgments, twelve years; notes, three years; and open accounts, three years.

## LEGAL RATE OF INTEREST.

The legal rate of interest in the District is 6 per cent per annum where no rate is specified, but contracts may be made for any rate not exceeding 10 per cent per annum.

## THE LAW IN FORCE IN THE DISTRICT

has been derived from many sources. The law of Maryland, when that State gave to the United States the present territory comprising the District, was composed of the common law of England, the acts of the British Parliament found applicable to the condition of the people, and the enactments of the provincial and State legislatures of Maryland. This law was continued in force in the District of Columbia by an act of Congress of February 27, 1801, and so remains, except as modified by subsequent laws of Congress, the numerous laws and ordinances of the municipal corporations which have existed in the District, and the orders made by the Commissioners in pursuance of the acts of Congress granting to them the power to make police and other municipal regulations.

## MILITIA.

The militia of the District is organized under an act of Congress approved March 1, 1889. This law requires that every male citizen of the District of Columbia of the age of 18 and under the age of 45 shall be enrolled, except municipal and judicial officers, officers and ex-officers of the United States Army and Navy, officers who have served for five years in the militia of the District or of any State of the United States, ministers of religion, practicing physicians, railroad conductors and engineers, policemen, firemen, idiots, lunatics, drunkards, paupers, and persons convicted of infamous crimes.

## RELIGION.

The first amendment to the Constitution of the United States, which provides that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof," precludes legislation on that subject in the District of Columbia, in view of the fact that Congress exercises exclusive legislative authority at the seat of Government.



*List of the principal municipal authorities of the cities of Washington and Georgetown, and of the District of Columbia.*

Name.	Period.	Name.	Period.	
<i>Mayors of the city of Washington.</i>		<i>Secretaries.</i>		
Robert Brent.....	June, 1802, to June, 1812.	Norton P. Chipman.....	Mar. 2, 1871, to Apr. 21, 1871.	
Daniel Rapine.....	June, 1812, to June, 1813.	Edwin L. Stanton.....	May 19, 1871, to Sept. 22, 1873	
James H. Blake.....	June, 1813, to June, 1817.	Richard Harrington.....	Sept. 22, 1873, to June 20, 1874.	
Benjamin G. Orr.....	June, 1817, to June, 1819.	<i>Board of public works.</i>		
Samuel N. Smallwood.....	June, 1819, to June, 1822, and June, 1824, to Sept. 30, 1824.	Henry D. Cooke, while governor, Alexander Robey Shepherd.....	Mar. 16, 1871, to Sept. 13, 1873	
Thomas Carberry.....	June, 1822, to June, 1824.	S. P. Brown.....	Mar. 16, 1871, to Sept. 13, 1873.	
Roger C. Weightman.....	Oct. 1, 1824, to July 31, 1827.	A. B. Mullett.....	Mar. 16, 1871, to June 2, 1873.	
Joseph Gales, jr.....	July 31, 1827, to June, 1830.	James A. Magruder.....	Mar. 16, 1871, to June 20, 1871.	
John P. Van Ness.....	June, 1830, to June, 1834.	Adolph Chuss.....	Jan. 2, 1873, to June 20, 1874.	
William A. Bradley.....	June, 1834, to June, 1836.	Henry A. Willard.....	May 22, 1873, to June 20, 1874.	
Peter Force.....	June, 1836, to June, 1840.	John B. Blake.....	Sept. 13, 1873, to June 20, 1874.	
William W. Seaton.....	June, 1840, to June, 1850.	<i>Board of health.</i>		
Walter Lenox.....	June, 1850, to June, 1852.	N. S. Lincoln.....	Mar. 15, 1871, to Mar. 22, 1871	
John W. Maury.....	June, 1852, to June, 1854.	T. S. Verdi.....	Mar. 15, 1871, to July 1, 1878.	
John T. Towers.....	June, 1854, to June, 1856.	H. A. Willard.....	Mar. 15, 1871; declined a re-appointment.	
William B. Magruder.....	June, 1856, to June, 1858.	John M. Langston.....	Mar. 15, 1871 to Nov. 10, 1877.	
James G. Berret.....	June, 1858, to Aug. 24, 1861.	John Marbury, jr.....	Mar. 15, 1871, to July 1, 1878.	
Richard Wallach.....	Aug. 26, 1861, to June, 1868.	D. Willard Bliss.....	May 23, 1872, to July 1, 1878.	
Sayles J. Bowen.....	June, 1868, to June, 1870.	Robert B. Warden.....	Nov. 10, 1877, to July 1, 1878.	
Matthew G. Emery.....	June, 1870, to June, 1871.	Christopher C. Cox.....	Apr. 3, 1871, to July 1, 1878.	
<i>Mayors of the city of Georgetown.</i>		COMMISSIONERS OF THE DISTRICT OF COLUMBIA.		
Robert Peter.....	1789 to 1798.	<i>Temporary government.</i>		
Lloyd Beall.....	1798 to 1803.	William Dennison.....	July 1, 1874, to July 1, 1878.	
Daniel Rentzel.....	1803 to 1805, and 1806 to 1808.	Henry T. Blow.....	July 1, 1874, to Dec. 31, 1874	
Thomas Coreoran.....	1805 to 1806, and 1808, to 1811, and 1812 to 1813, and 1818 to 1819.	John H. Ketchum.....	July 3, 1874, to June 30, 1877	
David Wiley.....	1811 to 1812.	Seth Ledyard Phelps.....	Jan. 18, 1873, to June 30, 1878.	
John Peter.....	1813 to 1818, and 1821 to 1822.	Thomas B. Bryan, succeeded Ketchum.	Dec. 3, 1877, to July 1, 1878.	
Henry Foxall.....	1819 to 1821.	Capt. Richard L. Hoxie, engineer to the Board of Commissioners.	July 2, 1874, to July 1, 1878.	
John Cox.....	1822 to 1845.	William Tindall, secretary to the board.	The law made no provision for a president to this board of temporary Commissioners, and none was ever elected; but Commissioner Dennison acted in that capacity at all board sessions when he was present.	
Henry Addison.....	1845 to 1857, and 1859 to 1867.	<i>Permanent form of government.</i>		
Richard R. Crawford.....	1857 to 1859.	Josiah Dent.....	June 1, 1878, to July 1, 1882.	
Charles D. Welch.....	1867 to 1869.			
Henry M. Sweeney.....	1869 to 1871.			
<i>Governors of the District.</i>				
Henry D. Cooke.....	Feb. 28, 1871, to Sept. 13, 1873.			
Alexander Robey Shepherd.....	Sept. 13, 1873, to June 20, 1874.			
<i>Delegate to Congress.</i>				
Norton P. Chipman.....	Apr. 21, 1871, to Mar. 4, 1875.			

List of the principal municipal authorities of the cities of Washington and Georgetown, and of the District of Columbia—Continued.

Name.	Period.	Name.	Period.
COMMISSIONERS OF THE DISTRICT OF COLUMBIA—cont'd.		COMMISSIONERS OF THE DISTRICT OF COLUMBIA—cont'd.	
<i>Permanent form of government—Continued.</i>		<i>Assistants to Engineer Commissioners.</i>	
Seth Ledyard Phelps .....	July 1, 1878, to Nov. 29, 1879.	Capt. R. L. Hoxie .....	July 21, 1878, to Aug. 1, 1881.
Maj. William Johnson Twining .....	June 29, 1878, to May 5, 1882.	Capt. F. V. Greene .....	May 2, 1879, to Mar. 3, 1885.
Thomas Phillips Morse .....	Nov. 29, 1879, to Mar. 8, 1883.	Lieut. C. McD. Townsend .....	Aug. 1, 1884, to Mar. 6, 1886.
Maj. Garrett J. Lydecker .....	May 11, 1882, to Apr. 1, 1886.	Capt. F. A. Mahan .....	Mar. 25, 1885, to May 27, 1886.
Joseph Rodman West .....	July 14, 1882, to July 22, 1885.	Capt. Eugene Griffin .....	May 27, 1886, to Mar. 6, 1888.
James Barker Edmonds .....	Mar. 3, 1883, to Apr. 1, 1886.	Capt. Thos. W. Symons .....	June 5, 1886, to Nov. 1, 1889.
William Benning Webb .....	July 20, 1885, to May 21, 1889.	Capt. S. S. Leach .....	Mar. 6, 1888, to June 2, 1888.
Samuel Edwin Wheatley .....	Mar. 8, 1886, to May 21, 1889.	Capt. J. L. Lusk .....	June 2, 1888, to Mar. 1, 1893.
Col. William Ludlow .....	Apr. 1, 1886, to Jan. 26, 1888.	Capt. Wm. T. Rossell .....	Nov. 1, 1889, until detailed as a Commissioner, District of Columbia, Oct. 15, 1891.
Maj. Charles Walker Raymond .....	Jan. 26, 1888, to Feb. 3, 1890.	Capt. Gustav J. Fiebeger .....	Oct. 31, 1891, to May 27, 1896.
John Watkinson Douglass .....	May 21, 1889, to Feb. 28, 1893.	Capt. George Met. Derby .....	Mar. 1, 1893, to Oct. 8, 1891.
Lemon Galpin Hine .....	May 21, 1889, to Sept. 30, 1890.	Capt. Edward Burr .....	Oct. 9, 1891, to Apr. 28, 1898.
Lieut. Col. Henry Martyn Robert .....	Feb. 14, 1890, to Oct. 14, 1891.	Capt. Lansing H. Beach .....	Oct. 30, 1891, until detailed as a Commissioner, District of Columbia, June 1, 1898.
John Wesley Ross .....	Oct. 1, 1890, to—	Capt. William E. Craighill .....	Feb. 28, 1899, to Sept. 15, 1899.
Capt. William Trent Rossell .....	Oct. 15, 1891, to May 6, 1893.	Capt. David Du B. Gaillard .....	July 21, 1899, to Feb. —, 1901.
Myron Melville Parker .....	Feb. 20, 1893, to Mar. 9, 1894.	Capt. H. C. Newcomer .....	Dec. 27, 1899.
Maj. Charles Francis Powell .....	May 8, 1893, to Mar. 1, 1897.		
George Truesdell .....	Mar. 10, 1894, to May 7, 1897.		
Capt. William Murray Black .....	Mar. 2, 1897, to May 31, 1898.		
John Brewer Wight .....	May 8, 1897, to May 8, 1900.		
Henry Brown Floyd Mactharland .....	May 9, 1900.		
Capt. Lansing Hoskins Beach .....	June 1, 1898.		











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